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## **BERLIN POLICE DEPARTMENT JUVENILE COURT DIVERSION**

### **RESTORATIVE JUSTICE PROGRAM**

#### **Frequently Asked Questions**

##### ***Who is eligible for the Restorative Juvenile Justice Program?***

Youth who are between the ages of 12 and 17, who are first time offenders and are referred by the police, the court or their school. At times, someone who has had prior police contact can be eligible.

##### ***What types of offenses commit by juveniles make them eligible for the program?***

A case by case basis that fits the policy criteria for any non-violent misdemeanor or felony offense deemed to be of such nature that the referring agency/officer feels Restorative Justice is appropriate.

##### ***Are juvenile offenses different from adult offenses?***

The offenses committed are the same. The way in which the police and the courts handle juvenile cases are different than adult-related matters outlined in the juvenile code. The juvenile code is a set of laws pertaining to juveniles which are outlined in the Revised Statutes Annotated (RSA).

##### ***Will the youth offender have a record after completing the Restorative Justice Program?***

No. If the juvenile offender successfully completes the program in the allotted timeframe the offense will not be added to the juvenile record. Generally, the window for completing diversion is between 3 to 12 months.

##### ***Is the information about the victim and the youth offender kept confidential?***

Yes. The same rules of confidentiality apply to the Restorative Justice Program that would apply to a case being handled in the court. All volunteers or individuals involved in the program sign a waiver or take an oath of confidentiality.

##### ***If the youth offender is caught in another crime while in the Restorative Juvenile Justice Program is that crime added and considered during the same process?***

No, if a youth offender commits another offense or violates the terms and conditions outlined in the contract after entering the Restorative Justice Program, their case(s) will be deferred to the Berlin Family Court and their program contract becomes null and void.

### ***How are juvenile offenders referred to the Restorative Juvenile Justice Program?***

Cases can be referred to the Restorative Juvenile Justice Program from an officer, the court or the school. Every case will be screened in for eligibility and not every case is accepted or meets the standards for acceptance based on the offense, the victim(s) (if applicable) and the offender.

### ***What are the factors used to determine case eligibility?***

- Seriousness of the offense
- Nature and number of prior contacts
- Circumstances around the offense
- Youth's age and maturity level
- Offender accepting responsibility for their actions
- Needs of the youth

### ***It seems like this program is a "get out of jail free" card with little to no consequences. Is that true?***

No. Program participants are held accountable and are often given more meaningful and impactful requirements that have to be completed within a realistic and attainable time frame. The offenders are brought in front of a panel with their parent(s), have to admit their guilt and talk about their offense(s). At times the offender will hear from the person(s) their behavior or actions might have affected.

### ***What types of requirements are juveniles given to complete?***

- Good behavior at home, school and in the community
- No substance use
- Community Service
- Attending or taking online classes
- Joining sports teams or clubs
- Self-reflective papers, essays or research assignments
- Informational poster boards or pamphlets
- Summer camps
- Job application
- Counseling/therapy referral

### ***How much does this program cost?***

Nothing. Participants do not pay an enrollment or sign-up fee. There are some fees associated with referral services, classes and some camps. A services list can be provided after a juvenile is enrolled in the program. A juvenile may also be asked to pay restitution in some cases (e.g. theft, vandalism, etc.).

**"A rehabilitative initiative through collaboration"**